

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

CHRISTOPHER LEMOINE,

CV. 07-100-HU

Petitioner,

ORDER

v.

CHARLES A. DANIELS,

Respondent.

JONES, Judge

Petitioner, an inmate at FCI Sheridan, brings this habeas corpus proceeding, pursuant to 28 U.S.C. § 2241, challenging the manner in which restitution payments have been withdrawn from his inmate trust account. On February 2, 2007, I denied petitioner's motion for an order prohibiting his transfer outside the District of Oregon. Petitioner's unsuccessful motion was premised upon Fed. R. App. Proc. 23(a). Currently before the court is petitioner's motion for a preliminary injunction, seeking the same relief, but this time pursuant to Fed. R. Civ. P. 65.

Petitioner has failed to demonstrate how his transfer outside the District of Oregon would result in some significant irreparable

injury. See Oakland Tribune, Inc. v. Chronicle Pub. Co., Inc., 762 F.2d 1374, 1376 (9<sup>th</sup> Cir. 1985) (party seeking injunctive relief must demonstrate some significant threat of irreparable injury). Contrary to petitioner's expressed concern, his transfer to FCI Lompoc would not deprive this court of jurisdiction over his habeas petition. Mujahid v. Daniels, 413 F.3d 991, 994 (9<sup>th</sup> Cir. 2005), cert. denied, 126 S.Ct. 2287 (2006). Accordingly, injunctive relief is not warranted.

**CONCLUSION**

Based on the foregoing, petitioner's motion for preliminary injunction (#15) is DENIED.

IT IS SO ORDERED.

DATED this 15th day of March, 2007.

/s/ Robert E. Jones  
Robert E. Jones  
United States District Judge